

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEN CASILLAS, et al.,

Plaintiffs,

v.

BAYER CORPORATION,

Defendant.

Case No. 23-cv-01609-AMO

DISCOVERY ORDER

Re: Dkt. No. 79


Before the Court is a joint discovery letter brief describing a dispute between Defendant Bayer Corporation (“Bayer”) and third-party ISN Software Corporation (“ISN”). ISN is a third-party platform used by the parties in this case to share Standard Operating Procedures (“SOPs”), as well as safety policies and training relevant to contracted activities. Bayer seeks documents related to Third-Party Defendant Linoleum Sales Co. Inc. dba Anderson Commercial Flooring’s (“Anderson”) use of Bayer’s online contractor training portal on ISN’s interface. The parties agree that ISN has provided responsive materials and aided Bayer in accessing data that it seeks. The remaining dispute arises from Bayer’s demand for original metadata to confirm more detailed information.

ISN reports that its information technology department would require a full week of labor by three to four employees devoted to the task of reviewing backups of its database transaction logs to locate and produce the requested metadata. ECF 79 at 3. Such effort and expense constitute a heavy burden, particularly for a third-party uninvolved in the case. Bayer fails to establish that the metadata holds sufficient probative value to outweigh this burden. Therefore, the Court **DENIES** Bayer’s requested relief as an undue burden. *See* Fed. R. Civ. P. 26; Fed. R. Civ. P. 45(d).

As soon as practicable following receipt of this Order, counsel for Bayer shall serve a copy of this Order on counsel for ISN.

IT IS SO ORDERED.

Dated: August 1, 2024


ARACELI MARTÍNEZ-OLGUÍN
United States District Judge

United States District Court
Northern District of California